

The APA program began in 1991. From all reports it has been successful. The program has provided a mechanism to resolve transfer pricing issues (i.e. the appropriate arm's length price for sales, services, licenses and other transactions between related parties) of multinational companies for not only prior years, but also for specified years in the future. It saves time and money for the government as well as for taxpayers. It also reduces protracted and costly litigation. The program involves not only taxpayers and the IRS, but also where certain double taxation treaties are applicable, foreign taxing authorities as well.

From the beginning of the program, taxpayers, as well foreign governments, have relied on assurances that the information received or generated by the IRS would be protected under the confidentiality requirements of Section 6103. Such assurances were based on published IRS information. As a result, multinational companies were willing to disclose sensitive pricing information, trade secrets, and other data in the interests of efficiently determining the proper and agreed-upon transfer pricing methodology and agreement.

Earlier this year, the IRS notified taxpayers that, contrary to its long-standing policy, the APAs are subject to disclosure under Section 6110—which requires disclosure of any IRS "written determination". This change by the IRS came in response to a lawsuit brought by a commercial publisher of tax information. Although the lawsuit is not settled, the IRS is proceeding with redaction and release of the APAs issued since 1991. The release is scheduled for October, 1999.

We do not find it difficult to believe that tax return information, as well as pricing, trade secrets and other sensitive data which were provided and used in completing an APA, remain confidential under Section 6103, and excluded from the provisions of Section 6110. Otherwise, we do not believe taxpayers will continue to support the program. Clearly it is essential under our tax system to provide as much useful tax guidance to the public as possible, while maintaining the confidentiality and identity of the taxpayers involved. Thus, the bill would provide for an annual report by the Secretary of the Treasury. This report would include statistical information on the issuance of APAs and renewed APAs. In addition, the report would set forth general summaries of the methodologies used in the APAs, together with hypothetical examples. Such a report should serve the interests of providing additional guidance to taxpayers regarding the approach used by taxpayers and the IRS in reaching agreements on transfer pricing.

We invite our colleagues to join us in supporting this important legislation affecting the confidentiality of taxpayer information.

#### WINNERS OF THE "SET A GOOD EXAMPLE" COMPETITION

#### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Mr. ORTIZ. Mr. Speaker, I rise today to commend two very special groups of students in South Texas from two extraordinary schools: Landrum Elementary School in San Benito, Texas, and Oliviera Middle School in Brownsville, Texas.

Competing with over 10,600 schools from all across the nation, this group of students from Texas entered and won honors in the "Set A Good Example" competition, a contest sponsored by the Concerned Businessmen's Association of America. The "Set A Good Example" campaign rewards students for their concern and participation in programs that highlight the dangers and detrimental effects of crime, violence, and illegal drugs.

The Oliviera Middle School and Landrum Elementary School groups formulated and created projects emphasizing good moral guidelines. Their projects celebrated common sense and understanding the importance of being honest, trustworthy, competent, honorable and industrious. The project also condemned violence, murder, and illicit drug use. At a time when our young people face the adverse challenges of crime and violence, I applaud their efforts that highlight personal moral integrity and commitment to social action.

I am very proud of these students, but I know they did not do this alone. I commend their parents, their teachers, their friends and their school staff for supporting and encouraging them in this proud undertaking. At a time when our national conversation has centered on underlying causes of youth violence in the aftermath of several high-profile school shootings, I am proud to offer these young people as examples for others.

Mr. Speaker, I ask my colleagues to join me today in applauding these students from Oliviera Middle School and Landrum Elementary School. They strive for the moral integrity that all Americans, young and old, should emulate.

#### HONORING THE NEW HAVEN COMMISSION ON EQUAL OPPORTUNITY FOR 35 YEARS OF SERVICE

#### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to congratulate the New Haven Commission on Equal Opportunity on its 35th Anniversary. I wish I could be there today as the community gathers to celebrate this wonderful occasion.

The New Haven Commission on Equal Opportunity is the oldest municipal civil rights agency in the United States. In 1964, after attending the U.S. Conference of Mayors hosted by President Kennedy, former Mayor Richard Lee returned to New Haven with a commitment to combat discrimination in all forms and a determination to make the city of New Haven a national model of equality. Together with the New Haven Board of Aldermen, he established the New Haven Commission on Equal Opportunity.

For more than three decades, the Commission has been on the front lines of the battle to extend equal opportunity to all. In recent years, the Commission has developed a city-wide plan to combat sexual harassment in the workplace, as well as a unique tracking system to ensure contract compliance in all city construction projects. In fighting to protect the rights of women, minorities, and workers, the New Haven Commission on Equal Opportunity

is faithful to Mayor Lee's original vision and is a vital force in our community.

It is with great pride that I extend my congratulations to the New Haven Commission on Equal Opportunity and Executive Director John Cox on its 35th Anniversary. I offer my sincere thanks and appreciation for all your work and best wishes for continued success.

#### TRIBUTE TO DR. J.M. SAEGER

#### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Mr. SKELTON. Mr. Speaker, it has come to my attention that the City of Lebanon, Missouri, celebrated "Dr. J.M. Saeger Appreciation Day" on June 16, 1999.

Dr. Saeger was honored by the City of Lebanon for his 30 years of service on the Board of Commissioners of the Housing Authority, where he also served as board president for many years. Dr. Saeger has a long history of public service. A veteran of World War II, he faithfully served his country in the military. He also served as the official Lebanon weather observer for the National Weather Service for 26 years. Dr. Saeger, who holds a doctorate in chiropractic medicine, continues to practice.

Mr. Speaker, I know the Members of the House will join me in paying tribute to Dr. Saeger for his dedication to his community and selfless public service.

[From the Lebanon (MO) Daily Record, June 17, 1999]

#### DR. SAEGER HONORED FOR 30 YEARS OF SERVICE

Dr. J.M. Saeger of Lebanon was honored by friends, family and the Lebanon community Wednesday at St. Francis De Sales Family Center during a surprise birthday party. Dr. Saeger and his family include Joan Harris, Ken Harris, Joey Harris, 7, and Jake Harris, 6, of St. Charles, Dr. Saeger of Lebanon, Angela Prost, and Tom Prost of Columbia, IL, Rita Cole, and Hayley Cole, 2, of Springfield, and Vivian Smith of Kansas City. Lebanon Mayor Bud Allen, State Sen. John T. Russell and State Rep. Beth Long attended the celebration where a proclamation was signed making June 16, 1999, Dr. J.M. Saeger Appreciation Day in Lebanon. Dr. Saeger has served on the Board of Commissioners of the Housing Authority of the City of Lebanon for 30 years, serving as board president for many years. He served his country in the military and as a veteran of World War II. He served as the official Lebanon weather observer for the National Weather Service for 26 years. Dr. Saeger earned his doctorate in chiropractic medicine and continues to practice.

#### PERSONAL EXPLANATION

#### HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Mrs. MCCARTHY of New York. Mr. Speaker, if I had been present on Friday, June 25, 1999 I would have voted in support of H.R. 1802—The Foster Care Independence Act of 1999.